

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jun FUJIKAMI, et al.
Title: METHOD OF
MANUFACTURING
SUPERCONDUCTING WIRE
Appl. No.: 10/569,829
International Filing Date: 2/17/2005
371(c) Date: 02/28/2006
Examiner: Cazan, Livius Radu
Art Unit: 3729
Confirmation Number: 5400

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, SUMITOMO ELECTRIC INDUSTRIES, LTD., having its principal place of business at 5-33, Kitahama 4-chome, Chuo-ku, Osaka-shi, Osaka, 541-0041 JAPAN, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/569,829, filed 02/28/2006, which claims priority from International Patent Application No. PCT/JP2005/002413, filed 2/17/2005, by virtue of an Assignment filed and recorded on March 29, 2006, on Reel/Frame 017405/0168, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent Application No. 10/568,537, filed February 17, 2006, by virtue of an Assignment filed and recorded on December 27, 2007, on Reel/Frame 020308/0734, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, SUMITOMO ELECTRIC INDUSTRIES, LTD., hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application No. 10/569,829 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application No. 10/568,537, and hereby agrees that any patent so granted on U.S. Patent Application No. 10/569,829 shall be enforceable only for and during such period that the legal title to any patent granted on U.S. Patent Application No. 10/568,537 shall be the same as the legal title to any patent granted on U.S. Patent Application No. 10/569,829, this agreement to run with any patent granted on U.S. Patent Application No. 10/569,829 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application No. 10/569,829, prior to the full statutory term of any patent granted on U.S. Patent Application No. 10/568,537 as defined in 35 U.S.C. §§154-156 and 173, in the event that any patent granted on U.S. Patent Application No. 10/568,537 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application No. 10/568,537 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application No. 10/569,829 that would extend beyond the present termination of any patent granted on U.S. Patent Application No. 10/568,537, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application No. 10/569,829 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application No. 10/569,829, and duly authorized to act on behalf of Petitioner, certifies that he has

reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to U.S. Patent Application No. 10/569,829 and any patent granted on U.S. Patent Application No. 10/568,537 rests with Petitioners, SUMITOMO ELECTRIC INDUSTRIES, LTD. . The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Date

4/17/09

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (213) 972-4594
Facsimile: (213) 486-0065

Respectfully submitted,

By


Ted R. Rittmaster
Attorney for Applicants
Registration No. 32,933

Appendix A

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APRIL 03, 2006

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DAVID A. BLUMENTHAL
FOLEY & LARDNER LLP
WASHINGTON HARBOUR
3000 K STREET, N.W., SUITE 500
WASHINGTON, D.C. 20007-5143UNITED STATES PATENT AND TRADEMARK OFFICE
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PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 03/29/2006

REEL/FRAME: 017405/0168
NUMBER OF PAGES: 3BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: 017700-0184ASSIGNOR:
FUJIKAMI, JUN

DOC DATE: 11/18/2005

ASSIGNOR:
KATO, TAKESHI

DOC DATE: 11/28/2005

ASSIGNEE:
SUMITOMO ELECTRIC INDUSTRIES, LTD.
5-33, KITAHAMA 4-CHOME, CHUO-KU
OSAKA-SHI, OSAKA, 541-0041, JAPANSERIAL NUMBER: 10569829
PATENT NUMBER:
TITLE: METHOD OF MANUFACTURING SUPERCONDUCTING WIREFILING DATE:
ISSUE DATE:

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PAGE 003/004

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017405/0168 PAGE 2

SHARON LATIMER, EXAMINER
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

name and Sumitomo Electric Industries, Ltd.
address of of 5-33, Kitahama 4-chome, Chuo-ku, Osaka-shi, Osaka 541-0041
assignee Japan

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

title of Method of Manufacturing Superconducting Wire
invention
as set forth in this United States Patent Application

check one ☐ executed concurrently herewith
☐ executed on _____
☒ Serial No. 10/569829 Filed 02-28-06

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Each of the undersigned hereby grants the firm of **FOLEY & LARDNER** the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

<i>NAMES AND SIGNATURES OF INVENTORS</i>		
Name: Jun FUJIKAMI	Signature: <i>Jun Fujikami</i>	Date: <i>Nov. 18 2005</i>
Name: Takeshi KATO	Signature: <i>Takeshi Kato</i>	Date: <i>Nov. 18 2005</i>
Name:	Signature:	Date:
Name:	Signature:	Date:
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Name:	Signature:	Date:
<i>NAMES AND SIGNATURES OF WITNESSES</i>		
Name:	Signature:	Date:
Name:	Signature:	Date:

Note: *Prima facie* evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.

Appendix B

TO: TED R. RITTMASER COMPANY: FOLEY & LARDNER, LLP

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JANUARY 03, 2008

PTAS - LS

TED R. RITTMASER
FOLEY & LARDNER, LLP
555 SOUTH FLOWER SUITE 3500
LOS ANGELES, CA 90071-2411**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

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RECORDATION DATE: 12/27/2007

REEL/FRAME: 020308/0734
NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
FUJIKAMI, JUN

DOC DATE: 11/18/2005

ASSIGNOR:
KATO, TAKESHI

DOC DATE: 11/18/2005

ASSIGNEE:
SUMITOMO ELECTRIC INDUSTRIES, LTD.
5-33, KITAHAMA 4-CHOME, CHUO-KU
OSAKA-SHI, OSAKA, JAPAN 541-0041

SERIAL NUMBER: 10568537

FILING DATE: 02/17/2006

PATENT NUMBER:

ISSUE DATE:

TITLE: METHOD OF MANUFACTURING SUPERCONDUCTING WIRE

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TO: TED R. RITTMASER COMPANY: FOLEY & LARDNER, LLP

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ASSIGNMENT SERVICES BRANCH
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ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

name and Sumitomo Electric Industries, Ltd.
address of of 5-33, Kitahama 4-chome, Chuo-ku, Osaka-shi, Osaka 541-0041
assignee Japan

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

title of Method of Manufacturing Superconducting Wire
invention
as set forth in this United States Patent Application

check one ☒ executed concurrently herewith
☐ executed on _____
☒ Serial No. 10/568,537 Filed: February 17, 2006

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

